

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

**AN ORDINANCE**

ACCEPTING THE LOWEST QUALIFIED BID AND AWARDING A CONSTRUCTION CONTRACT TO CURRAN CONTRACTING COMPANY IN THE AMOUNT OF \$5,106,286.05 IN CONNECTION WITH THE LEON CREEK GREENWAY (IH-10/1604 TO THE RIM) LOCATED IN COUNCIL DISTRICT 8 AND THE SALADO CREEK GREENWAY (HUEBNER ROAD TO LOOP 1604) LOCATED IN COUNCIL DISTRICT 9; AND AUTHORIZING AN ADVANCE FUNDING AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) TO ALLOW FOR THE CONSTRUCTION AND MAINTENANCE OF TRAIL IMPROVEMENTS WHERE THE TRAIL IMPROVEMENTS CROSS TXDOT'S RIGHT-OF-WAY; AND AUTHORIZES PAYMENT OF \$5,106,286.05 FROM SALES TAX VENUE FUNDS INCLUDED IN THE FY 2018-2023 CAPITAL IMPROVEMENT PROGRAM.

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**WHEREAS**, the proposed projects are part of a growing network of interconnected hike and bike trails now known as the Howard W. Peak Greenway Trails system, which is funded through sales tax initiatives approved by voters in 2000, 2005, 2010, and 2015; and

**WHEREAS**, the objectives of the program are to acquire and preserve open space along San Antonio creekways and to develop multi-use hike and bike trails, trailheads, signage and associated amenities for use by San Antonio residents and visitors; and

**WHEREAS**, this ordinance authorizes a construction contract with Curran Contracting Company for the Leon Creek Greenway (IH-10/1604 to The RIM) and the Salado Creek Greenway (Huebner Road to Loop 1604) and authorizes the execution of an Advance Funding Agreement with TxDOT to allow for the construction and maintenance of the Leon Creek Greenway improvements within TxDOT's right-of-way located along I-10, and the Salado Creek Greenway improvements within TxDOT's right-of-way at Loop 1604; and

**WHEREAS**, the Leon Creek Greenway Segment is 2.05 miles long and the Salado Creek Segment is 1.8 miles long.

**WHEREAS**, the project also includes construction of three parking areas, several drainage culverts, retaining walls, rest nodes, signage, and other minor amenities; and

**WHEREAS**, design work was performed by Bain Medina Bain, Inc.

**WHEREAS**, these improvements will become unique additions to the municipal park system's creekways program for hiking, biking, and other recreational uses; and

**WHEREAS**, the Request for Low Qualified Bids was advertised the third and fourth weeks of July 2017 in the Hart Beat, the Texas Electronic State Business Daily, the City's website, and announced on the City's public access station TVSA; and

**WHEREAS**, ten (10) bids were received. After reviewing the bidders' qualifications and conducting interviews, Curran Contracting Company was selected with the lowest qualified bid of \$5,106,286.05; and

**WHEREAS**, a standard construction contract will be executed and a summary of the bids is shown on Exhibit 1; and

**WHEREAS**, while Curran Contracting Company not previously performed any City of San Antonio projects, the company has extensive experience with TxDOT performing similar work; and

**WHEREAS**, it is anticipated that construction will begin in November 2017 and will be completed in FY2019; and

**WHEREAS**, this agreement will be executed in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular contract in an effort to maximize the amount of small, minority, and women-owned business participation on the contract; and

**WHEREAS**, the Goal Setting Committee set a 27% Small Business Enterprise (SBE), 21% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 2% African American Business Enterprise (AABE) subcontracting goal; and

**WHEREAS**, Curran Contracting Company has committed to 26% Small Business Enterprise (SBE), 23% Minority, Women-Owned Business Enterprise (M/WBE), and 22% African American Business Enterprise (AABE) subcontractor participation; **NOW THEREFORE**:

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The lowest responsive qualified bid in the amount of \$5,106,286.05 from Curran Contracting Company for the Leon Creek Greenway (IH-10/1604 to The RIM) and the Salado Creek Greenway (Huebner Road to Loop 1604) is hereby accepted. All other bids will be considered rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of ninety (90) days from the effective date hereof, whichever occurs first.

**SECTION 2.** A construction contract is hereby awarded to Curran Contracting Company.

**SECTION 3.** The City Manager or her designee or the Director of the Parks and Recreation Department or his designee is hereby authorized to execute Advance Funding Agreements with TxDOT to allow for the construction and maintenance of the Leon Creek Greenway improvements within TxDOT's right-of-way located along I-10, and the Salado Creek Greenway improvements within TxDOT's right-of-way at Loop 1604.

**SECTION 3.** Payment in the amount of \$5,106,286.05 in SAP Fund 40005000, Park Improvements, SAP Project Definition 26-00613, Leon Greenway to Salado Greenway Connect, is authorized to be encumbered and made payable to Curran Contracting Company, for construction services.

**SECTION 4.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 5.** This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

**PASSED AND APPROVED this \_\_\_ day of \_\_\_\_\_.**

**M A Y O R**  
Ron Nirenberg

SW  
10/19/17  
Item No. 00

**ATTEST:**

**APPROVED AS TO FORM:**

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Leticia M. Vacek, City Clerk

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Andrew Segovia, City Attorney

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